

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**JAMES BOTCH,**

*Plaintiff,*

**v.**

**NANCY A. BERRYHILL,**

*Defendant.*

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**CIVIL ACTION**

**No. 17-cv-4586**

**ORDER**

**AND NOW**, this 28th day of May, 2019, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (ECF No. 9), and the responses thereto, and after careful review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (ECF No. 14), and the objections thereto (ECF No. 18), it is hereby **ORDERED** that:

1. The Commissioner's objections are **OVERRULED** for the reasons stated in the accompanying memorandum opinion;
2. The Report and Recommendation (ECF No. 14) is **APPROVED** and **ADOPTED**; and
3. Plaintiff's Request for Review (ECF No. 9) is **GRANTED**, and the decision of the Commissioner of the Social Security Administration is **REVERSED**, such that this matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with Magistrate Judge Rueter's Report and Recommendation.

**BY THE COURT:**

*/s/ Mitchell S. Goldberg*

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**MITCHELL S. GOLDBERG, J.**